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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/815,610	03/23/2001	Zvetan Dragulev	56137865-2	7198

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BAKER & MCKENZIE
805 THIRD AVENUE
NEW YORK, NY 10022

EXAMINER	
CASIANO, ANGEL L	
ART UNIT	**PAPER NUMBER**
2182	

DATE MAILED: 08/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/815,610	DRAGULEV ET AL.	
	Examiner	Art Unit	
	Angel L. Casiano	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 February 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *23 February 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *8/16/2001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

The present Office action is in response to application dated 23 March 2001.

Claims 1-20 are pending. All claims have been examined.

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 16 August 2001 was filed after the mailing date of the application on 23 March 2001. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

- Figure 1, "134"
- Figure 2, "200", "224"
- Figure 3, "300", "306"
- Figure 4, "418", "422"
- Figure 5, "514"
- Figure 7, "702", "734"

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR

1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "510" (Figure 5) has been used to designate both "Build/update local cache of profile data" and "Wait for connection request made by the application". Reference character "604" (Figure 6) has been used to designate both "Create a new user profile" and "Profile server". Reference character "606" (Figure 6) has been used to designate both "Search for a user profile" and "Internet". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and *should not repeat information given in the title*. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

5. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1 and 4-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, this recites, "wherein the user-specific data is maintained over multiple user sessions" (see line 28). However, the claim teaches storing the data in the user device and profile server. It is unclear if the user-specific data is maintained in the user device after the user is no longer "logged into the user device" (see line 19) as well as in the "profile server".

Claims 4-5 depend from claim 1 and are therefore rejected under the same basis.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 1-5, 7-13, 15, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Itabashi et al. [US 6,651,090 B1] in view of Rodov [US 6,697,837 B1].

Regarding claim 1, Itabashi et al. teaches a system for managing user specific-data (see Abstract). The cited system includes a profile client (see "application" or "program") *associated* with a user device (see column 6, lines 25-29). The user device (se Figure 1, "101") found in the

Itabashi et al. reference is disclosed as having an Internet interface for accessing nodes on the Internet (see Abstract). The Itabashi et al. disclosure teaches allowing the profile client (program or application) to access user-specific data from a profile server (see column 6, lines 36-42). The prior art system retrieves the user-specific data associated with a user currently logged into the user device (see column 15, lines 6 and 13). The prior art system intercepts data communicated from the user device to the one or more nodes, and insert the user-specific data, if any, in the data before the data is communicated to the one or more nodes (see column 7, lines 44-67). The prior art system intercepts data communicated from the one or more nodes to the user device, and extract the user-specific data, if any, to store the user-specific data in the profile server (see column 6, lines 43-63; Figure 1, "110", "114"). Itabashi et al. teaches that the user-specific data is *maintained* (see column 9, lines 15-18) over multiple user sessions, independent of devices (see "from any location", column 14, lines 51-54) that the user uses to communicate with the one or more of the nodes on the Internet. The Itabashi et al. reference teaches the user-specific data as being accessed (shared) by the user device (see column 14, lines 9-15). However the cited prior art fails to explicitly teach storing the retrieved user-specific data on the user device to be used as user-specific data for the user when communicating to one or more nodes during the time the user is logged into the user device. Regarding this limitation, Rodov teaches storing user-specific ("profile") data in the user device (see Abstract; Figure 1B), which is used (see "reaccessed") when communicating to a node. When a user is logged into the user device, the user-specific data ("profile") is used when communicating with a node (see "data", "download"; column 2, lines 48-50). At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to obtain a reliable system and method

for a reaccessible end user profile on the end user's computer, which is browser-independent (see Rodov, column 1, lines 40-43).

Regarding claim 2, Itabashi et al. teaches a system for managing user specific-data (see Abstract). The cited system includes a profile client (see "application" or "program") *associated* with a user device (see column 6, lines 25-29). The user device (se Figure 1, "101") found in the Itabashi et al. reference is disclosed as having an Internet interface for accessing nodes on the Internet (see Abstract). The Itabashi et al. disclosure teaches allowing the profile client (program or application) to access user-specific data from a profile server (see column 6, lines 36-42). Itabashi et al. teaches that the user-specific data is *maintained* (see column 9, lines 15-18) over multiple user sessions, independent of devices (see "from any location", column 14, lines 51-54) that the user uses to communicate with the one or more of the nodes on the Internet. The Itabashi et al. reference teaches the user-specific data as being accessed (shared) by the user device (see column 14, lines 9-15). The user-specific data in the server (see "110") and user device (see "101", "106") is updated (see column 14, line 13). The data is *synchronized,* since the update by *any of the devices is made available.* However the cited prior art fails to explicitly teach the step of storing a user-specific data on the user device. Regarding this limitation, Rodov teaches storing user-specific ("profile") data in the user device (see Abstract; Figure 1B), which is used (see "reaccessed") when communicating to a node. At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to obtain a reliable system and method for a reaccessible end user profile on the end user's computer, which is browser-independent (see Rodov, column 1, lines 40-43).

Regarding claim 3, Itabashi et al. teaches a system for managing user specific-data (see Abstract). The cited system includes a profile client (see "application" or "program") *associated* with a user device (see column 6, lines 25-29). The user device (se Figure 1, "101") found in the Itabashi et al. reference is disclosed as having an Internet interface for accessing nodes on the Internet (see Abstract). The Itabashi et al. disclosure teaches allowing the profile client (program or application) to access user-specific data from a *profile server* (see column 6, lines 36-42). The prior art system retrieves the user-specific data associated with a user currently logged into the user device (see column 15, lines 6 and 13). The prior art system intercepts (detects) data communicated from the user device to the one or more nodes, and insert the user-specific data, if any, in the data before the data is communicated to the one or more nodes (see column 7, lines 44-67). The prior art system intercepts data communicated from the one or more nodes to the user device, and extract the user-specific data, if any, to store the user-specific data in the profile server (see column 6, lines 43-63; Figure 1, "110", "114"). Itabashi et al. teaches that the user-specific data is *maintained* (see column 9, lines 15-18) over multiple user sessions, independent of devices (see "from any location", column 14, lines 51-54) that the user uses to communicate with the one or more of the nodes on the Internet. However the cited prior art fails to explicitly teach storing the retrieved user-specific data on the user device to be used as user-specific data for the user when communicating to one or more nodes during the time the user is logged into the user device. Regarding this limitation, Rodov teaches storing user-specific ("profile") data in the user device (see Abstract; Figure 1B), which is used (see "reaccessed") when communicating to a node. When a user is logged into the user device, the user-specific data ("profile") is used when communicating with a node (see "data", "download"; column 2, lines 48-50). At the time

of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to obtain a reliable system and method for a reaccessible end user profile on the end user's computer, which is browser-independent (see Rodov, column 1, lines 40-43).

As for claim 4, the prior art system teaches a profile server having a database for storing the user-specific data (see Figure 1, "110").

As for claim 5, the combination of references does not explicitly teach deleting the data from the user device after the user logs off from the user device. Nonetheless, the combination of disclosures teaches updating the data in the user device (see Itabashi et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention that deleting data would have been a specific example of data update or modification. This modification or update would have been made available to other device, according to the combination of references.

As for claim 7, the combination of references teaches that user-specific data in the server (see "110") and user device (see "101", "106") is updated (see column 14, line 13). The data is therefore synchronized continuously, since the update by any of the devices is made available.

As for claim 8, the combination of references teaches detecting profile changes (see "updates") and communicating the changes (see Itabashi et al.; column 14, lines 9-15).

As for claim 9, the prior art (see Itabashi et al.) teaches utilities for accessing user-specific data on the profile server (see column 2, lines 8-19).

Regarding claim 10, the combination of prior art teaches the limitations corresponding to the system for managing user-specific data (see rejections above). Accordingly, the combination of disclosures also teaches the limitations for the method directed to implement the system. Therefore, the present claim is rejected under the same rationale. Claims 11 and 12 depend on claim 10 and also contain the limitations directed to the method for the rejected system. These claims are also rejected under the same rationale.

Regarding claim 13, the combination of references teaches the limitations corresponding to the system for managing user-specific data (see rejections above). Accordingly, the combination of disclosures also teaches the limitations for the method oriented to the system. Therefore, the present claim is rejected under the same rationale. Claim 15 depends on claim 13 and also contains the limitations directed to the method for the rejected system. This claim is also rejected under the same rationale.

Regarding claim 17, the combination of references teaches the system for managing user-specific data (see rejections above). The prior art also teaches the program storage device readable by machine directed to implement the cited system (see Itabashi et al., column 14, lines 24-29). Accordingly, the present claim is rejected under the same rationale. Claims 18 and 19 depend on

claim 17 and also contain the limitations directed to implement the system previously rejected. These claims are also rejected under the same rationale.

As for claim 20, Itabashi et al. teaches a system for managing user specific-data (see Abstract). The cited system includes a profile client (see "application" or "program") *associated* with a user device (see column 6, lines 25-29). The user device (se Figure 1, "101") found in the Itabashi et al. reference is disclosed as having an Internet software for accessing nodes on the Internet (see Abstract). The prior art system *retrieves* the user-specific data associated with a user currently logged into the user device (see column 15, lines 6 and 13) from a profile server. The prior art system intercepts data communicated from the user device to the one or more nodes, and insert the user-specific data, if any, in the data before the data is communicated to the one or more nodes (see column 7, lines 44-67). The prior art system intercepts data communicated from the one or more nodes to the user device, and extract the user-specific data, if any, to store the user-specific data in the profile server (see column 6, lines 43-63; Figure 1, "110", "114"). Itabashi et al. teaches that the user-specific data is *maintained* (see column 9, lines 15-18) over multiple user sessions, independent of devices (see "from any location", column 14, lines 51-54) that the user uses to communicate with the one or more of the nodes on the Internet. The Itabashi et al. reference teaches the user-specific data as being accessed (shared) by the user device (see column 14, lines 9-15). However the cited prior art fails to explicitly teach storing the retrieved user-specific data on the user device to be used as user-specific data for the user when communicating to one or more nodes during the time the user is logged into the user device. Regarding this limitation, Rodov teaches storing user-specific ("profile") data in the user device

(see Abstract; Figure 1B), which is used (see "reaccessed") when communicating to a node. When a user is logged into the user device, the user-specific data ("profile") is used when communicating with a node (see "data", "download"; column 2, lines 48-50). At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to obtain a reliable system and method for a reaccessible end user profile on the end user's computer, which is browser-independent (see Rodov, column 1, lines 40-43).

10. Claims 6, 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Itabashi et al. [US 6,651,090 B1] in view of Rodov [US 6,697,837 B1] in further view of Haitsuka et al. [US 6,505,201 B1].

As for claim 6, the combination of references (Itabashi et al. in view of Rodov) does not teach synchronizing the user-specific data *periodically*. Instead, in the cited combination, the data is synchronized, since the update by any of the devices is made available. Regarding this limitation, Haitsuka et al. teaches updating user-specific data periodically (see column 6, lines 44-52). One of ordinary skill in the art would have been motivated to modify the combination of references in order to implement client-monitoring capabilities (see Haitsuka et al.).

Regarding claims 14 and 16, the combination of prior art teaches the limitations corresponding to the system for managing user-specific data (see rejections above). The combination of disclosures as exposed in the Office action, also teaches the limitations for the method directed to implement the system. Therefore, the present claims are rejected under the same rationale.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Roberts et al. [US 6,101,486] teaches method and system for gathering and storing customer profile data.
- Bunney et al. [EP 0944002 A1] teaches user profile subsystem.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel L. Casiano whose telephone number is 703-305-8301. The examiner can normally be reached on 9:30-6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 703-308-3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Alc
17 August 2004